

REMARKS

Applicants appreciate the time taken by the Examiner to review Applicants' present application. This application has been carefully reviewed in light of the Official Action mailed June 23, 2004. Applicants respectfully request reconsideration and favorable action in this case.

Double Patenting Rejection

Claims 1-4 stand rejected under the judicially created doctrine of obviousness-type double patenting over claim 1 of U.S. Patent No. 6,421,389.

Claims 2 and 3 stand rejected under the judicially created doctrine of obviousness-type double patenting over claim 1 of U.S. Patent No. 6,421,389.

Claims 5-7 stand rejected under the judicially created doctrine of obviousness-type double patenting over claim 1 of U.S. Patent No. 6,421,389.

With regards to claims 1-7, Applicants are including with this reply a timely filed terminal disclaimer in compliance with 37 C.F.R. § 1.321(c). Additionally, U.S. Patent No. 6,421,389 and the current Application are commonly owned. Accordingly, withdrawal of the double patenting rejection of claims 1-7 is respectfully requested.

IDS REFERENCES

The Applicants filed an information disclosure statement (IDS) in the present application on May 3, 2004. The Applicants note that the Office Action was not accompanied by a copy of the listing of references (Form PTO/SB/08A) submitted with this IDS, initialed by the Examiner to indicate that the references cited therein were considered. Therefore, the Applicants respectfully request that the Examiner consider the references cited in this IDS and forward a copy of the initialed Form PTO-1449 to the Applicants.

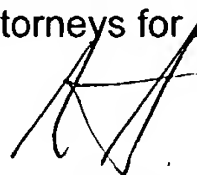
CONCLUSION

Applicants have now made an earnest attempt to place this case in condition for allowance. Other than as explicitly set forth above, this reply does not include acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request full allowance of claims 1-7. The Examiner is invited to telephone the undersigned at the number listed below for prompt action in the event any issues remain.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

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